

Baginski Subdivision

City of El Paso — City Plan Commission — 02/07/2019

SUSU18 - 00099 — Resubdivision Combination

REVISED



STAFF CONTACT: Brenda Cantu, (915) 212-1642, cantubr@elpasotexas.gov

PROPERTY OWNER: Adam Baginski

REPRESENTATIVE: Millot Engineering

LOCATION: East of Shadow Mountain and North of Thunderbird, District 1

ACREAGE: 1.18

VESTED: No

PARK FEES REQUIRED: Pending \$4,110

EXCEPTION/MODIFICATION REQUEST: N/A

RELATED APPLICATIONS: N/A

PUBLIC INPUT: Yes

STAFF RECOMMENDATION: Planning staff recommends **approval** of Baginski Subdivision.

SUMMARY OF REQUEST: The applicant proposes to subdivide 1.18 acres of land into three residential lots. This subdivision is being reviewed under the current subdivision code. Access to the proposed subdivision will be provided via Thunderbird Drive.

SUMMARY OF DCC RECOMMENDATION: The Development Coordinating Committee (DCC) recommends **approval** of Baginski Subdivision on a resubdivision combination basis.



DESCRIPTION OF ANY EXCEPTIONS, MODIFICATIONS, OR WAIVERS

N/A. Applicant proposes to comply with Title 19 and DSC requirements for a local street (5' landscape parkway and 5' sidewalk are proposed).

NEIGHBORHOOD CHARACTER: Subject property is zoned R-3 (Residential). The surrounding land uses are residential developments and vacant land. The nearest school is Western Hills Elementary School (.67 miles). The nearest park is Snow Heights (1.17 miles). This property is not located within any Impact Fee Service Area.

COMMENT FROM THE PUBLIC:

Notice of public hearing was published in the El Paso Times December 22, 2018 and a notice was mailed to all property owners within 200 feet of the subject property and within the original subdivision. Staff received 33 ~~30~~ emails, one phone call, and a petition with 6 signatures of residents within the 200 feet of the proposed subdivision and 2 from outside of the 200 feet was in opposition of the proposed Baginski Subdivision. This aforementioned opposition stemmed from the previous proposal of four residential lots.

STAFF COMMENTS:

No further comments.

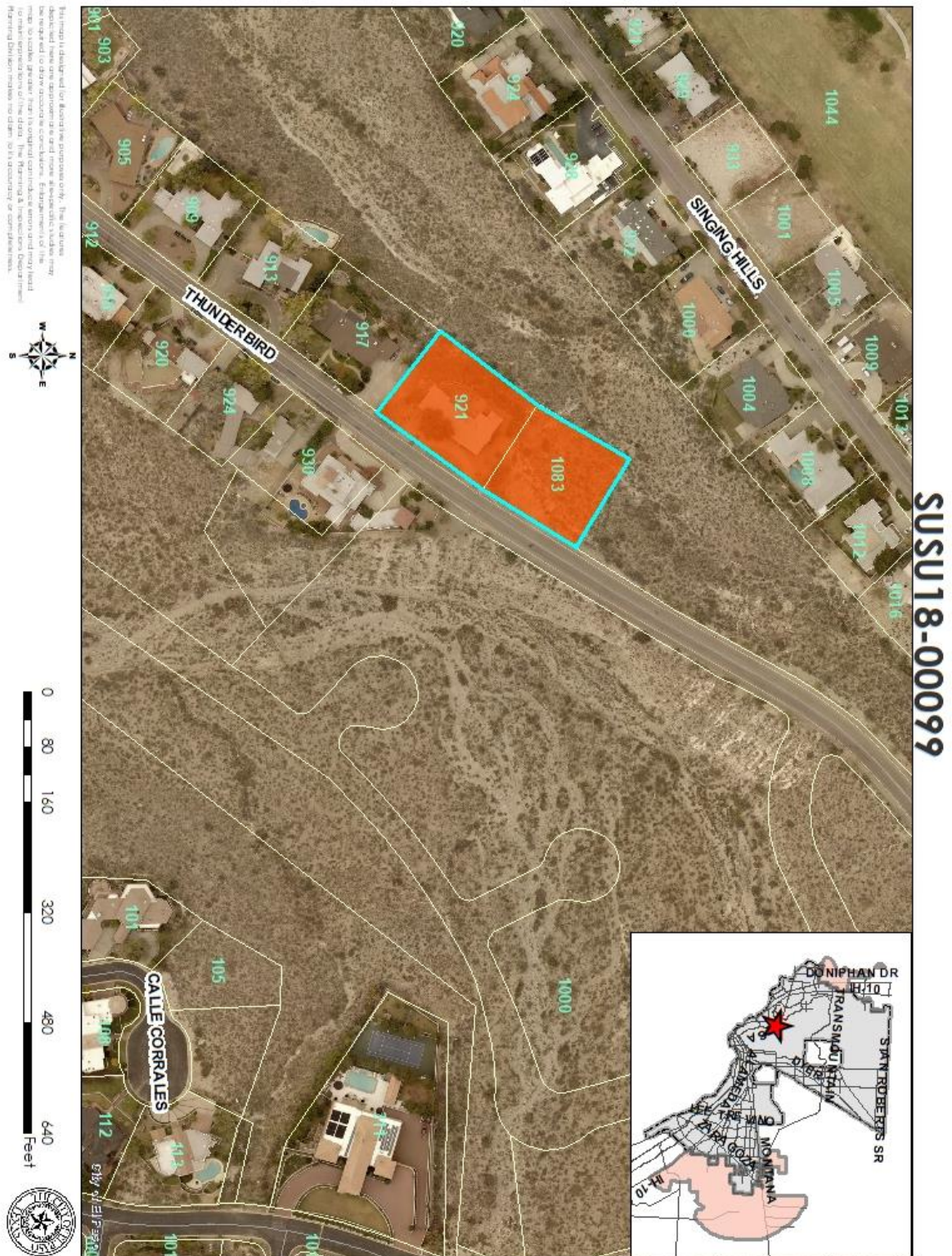
PLAT EXPIRATION:

This application will expire on **February 7, 2022**. If the final plat has not been recorded within the specified date, the final plat approval, unless extended in accordance with Chapter 19.41 (Expiration, extension and reinstatement), shall expire and the applicable plat shall be deemed null and void.

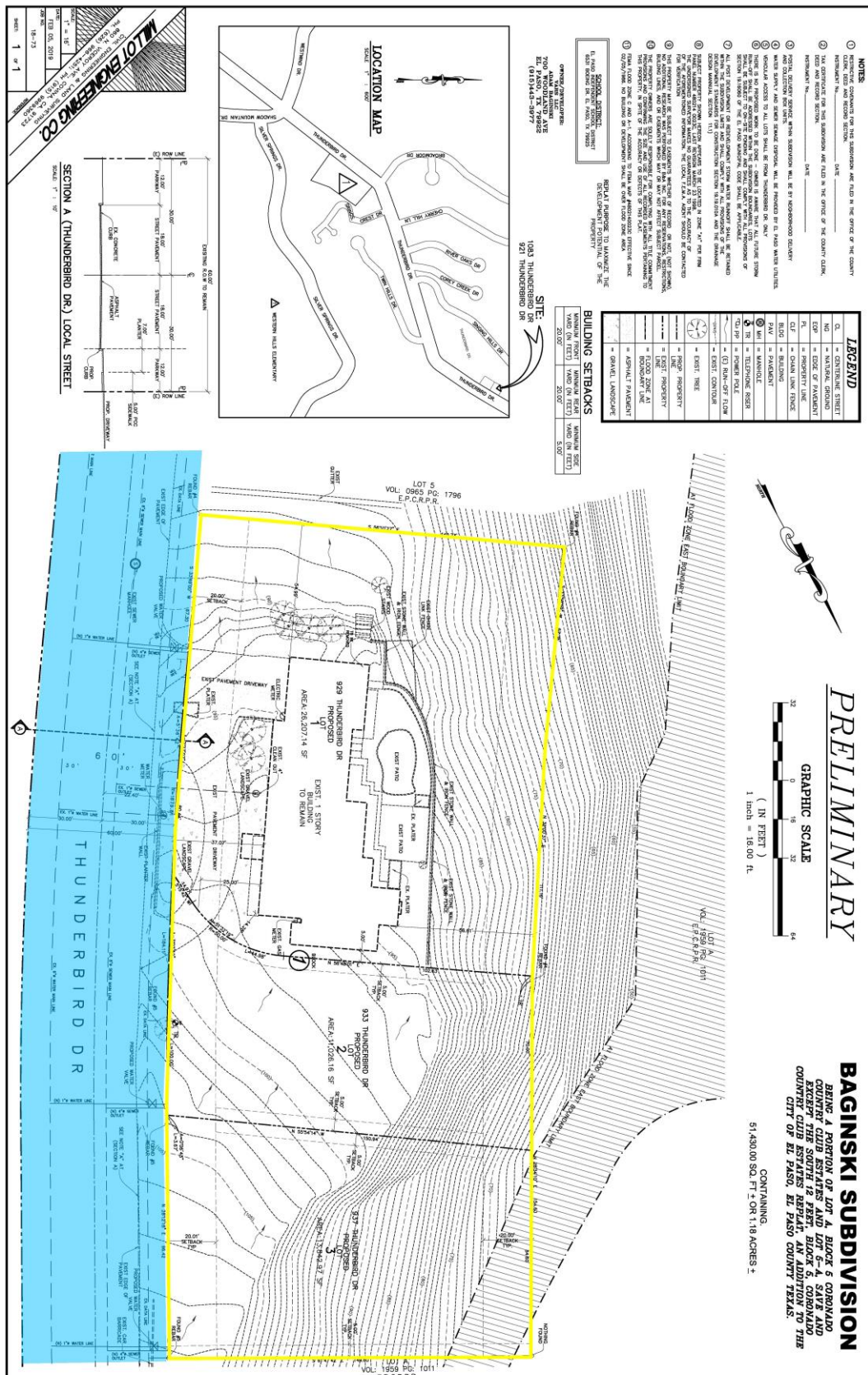
ATTACHMENTS:

1. Aerial Map
2. Preliminary plat
3. Final plat
4. Application
5. Department Comments
6. Letters of Opposition

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 4



RESUBDIVISION COMBINATION APPLICATION

DATE: _____ FILE NO. _____

SUBDIVISION NAME: BAGINSKI SUBDIVISION

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
A PORTION OF LOT A, BLOCK 5, CORONADO COUNTRY CLUB ESTATES AND A PORTION LOT 5-A OF
BLOCK 5 OF CORONADO COUNTRY CLUB ESTATES REPLAT
2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	<u>1.18</u>	<u>3</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____		_____	_____
Commercial	_____	_____	Total No. Sites	_____	_____
Industrial	_____	_____	Total (Gross) Acreage	_____	_____
3. What is existing zoning of the above described property? R-3 Proposed zoning? R-3
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes X No _____
5. What type of utility easements are proposed: Underground X Overhead _____ Combination of Both _____
6. What type of drainage is proposed? (If applicable, list more than one)
SURFACE DRAINAGE
7. Are special public improvements proposed in connection with development? Yes X No _____
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes _____ No X
If answer is "Yes", please explain the nature of the modification or exception _____
9. Remarks and/or explanation of special circumstances: _____
10. **Improvement Plans submitted?** Yes _____ No X
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes _____ No X
If yes, please submit a vested rights petition in accordance with Title I (General Provisions) Chapter 1.04 - Vested Rights

Planning & Inspections Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

Vers LLC

12. Owner of record Adam Baginski, 79922 El Paso
(Name & Address) (Zip) (Phone)
13. Developer Vers LLC, Adam Baginski
(Name & Address) (Zip) (Phone)
14. Engineer Gilberto Millot, 900 Texas Ave 79901 (SGZ) 5723507
(Name & Address) (Zip) (Phone)

OWNER SIGNATURE: 

REPRESENTATIVE SIGNATURE: 

REPRESENTATIVE CONTACT (PHONE): (562) 572-3507

REPRESENTATIVE CONTACT (E-MAIL): gilberto.millot@yahoo.com

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING
UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND
COMPLETENESS.

Planning & Inspections Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

ATTACHMENT 5

PLANNING AND INSPECTION DEPARTMENT – PLANNING

Developer / Engineer shall address the following comments:

- 1: Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision:
 - a: Current certificate tax certificate(s)
 - b: Current proof of ownership.
 - c: Release of access document, if applicable.
 - d: Set of restrictive covenants, if applicable.
- 2: Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.
- 3: Applicant shall submit revised preliminary plat which includes the proposed Thunderbird cross-section, compliant with Title 19 and DSC.
- 4: Applicant shall remove all existing private encroachments into the Thunderbird ROW. Applicant shall add a note to the plat specifying that all existing private improvements will be relocated into their property.

PLANNING AND INSPECTION DEPARTMENT – LAND DEVELOPMENT

We have reviewed subject plats and recommend Approval.

The Developer/Engineer shall address the following comments.

1. Comply with FEMA Flood Zone Requirements for developing in the flood zone at time of building permit.
 2. Correct the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) panel information on the final plat to include Flood Zone A1.
 3. The subdivision shall be tied to a horizontal control by bearing and distance to either a section corner, survey line, the National Geodetic Survey monument, City monument, or other known and accepted survey points. This tie shall be delineated on the plat sheets.
-
- ~~1. On the cross-sections, need to label the slope and direction.~~
 - ~~2. Owner needs to comply with FEMA's rules and regulations when he is encroaching into the flood zone.~~

EL PASO WATER

EPWater-PSB does not object to this request.

Water:

There is an existing 6-inch diameter water main that extends along the eastside of Thunderbird Dr., approximately 6-feet west of and parallel to the eastern right-of-way line of Thunderbird Dr. This water main is available for services.

EPWater records indicate one (1) 3/4-inch water service meter serving the subject property. The service address for this meter is 921 Thunderbird Dr. A separate service connection is required to serve lots 1, 3 and 4.

Previous water pressure from fire hydrant #2431 located on Thunderbird Dr. approximately 700-feet northeast of Twin Hills Dr., has yield a static pressure of 140 (psi), a residual pressure of 130 (psi), and a discharge of 1,453 gallons per minute. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sewer:

There is an existing 8-inch diameter sanitary sewer main that extends along the west side of Thunderbird Dr., approximately 6-feet east of and parallel to the western right-of-way line of Thunderbird Dr. This sanitary sewer main is available for services. A separate service connection is required to serve lots 1, 3 and 4.

General:

EPWater requires a new service application for additional services to the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

FIRE

No objections.

TXDoT

Not abutting TxDot ROW.

CAPITAL IMPROVEMENTS DEPARTMENT – PARKS

We have re-reviewed Baginski Subdivision Replat "A" a resubdivision combination plat map and on behalf of CID Parks & Planning Division, we offer Developer / Engineer the following "revised" comments:

Please note that this subdivision is composed of three (3) lots zoned "R-3" required to comply with the parkland dedication ordinance Title 19 – Subdivision & Development Plats, Chapter 19.20 - Parks & Open Space in the form of "Park fees" based on requirements for residential subdivisions.

Applicant shall be required to pay "Park fees" in the amount of \$4,110.00 calculated as follows:

3 (R-3) Single-family dwelling lots @ \$1,370.00 / dwelling = \$4,110.00

Please allocate generated funds under Park Zone: NW-6

Nearest Park: Snow Heights Park

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

~~We have reviewed Baginski Subdivision Replat "A" a resubdivision combination plat map and on behalf of CID Parks & Planning Division, we offer Developer / Engineer the following comments:~~

~~Please note that this subdivision is composed of 4 lots zoned "R-3" required to comply with the parkland dedication ordinance Title 19 – Subdivision & Development Plats, Chapter 19.20 - Parks & Open Space in the form of "Park fees" based on requirements for residential subdivisions.~~

~~Applicant shall be required to pay "Park fees" in the amount of \$5,480.00 calculated as follows:~~

~~4 (R-3) Single-family dwelling lots @ \$1,370.00 / dwelling = \$5,480.00~~

~~Please allocate generated funds under Park Zone: NW-6~~

~~Nearest Park: Snow Heights Park~~

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

CENTRAL APPRAISAL

No objections.

SUN METRO

No objections.

911

No comments received.

ATTACHMENT 6

Cantu, Brenda

From: Bob Warach <bob@nwarach.com>
Sent: Monday, January 7, 2019 7:21 PM
To: peter svarzbein
Cc: Cantu, Brenda; thomaskennedy@gmail.com; pbweiland@yahoo.com
Subject: resubdivision request

Follow Up Flag: Follow up
Flag Status: Flagged

Peter: It was good speaking with you. As you can see I have copied this email to Brenda Cantu, Tom Kennedy and Pat Weiland. Despite what Ms. Cantu advised Mr. Kennedy, I never received the notice she claims I received at 917 Thunderbird. The first I heard about this matter was this morning through an email sent to me by Pat Weiland. I will be out of town on the date of the proposed hearing but have signed the protest that Tom Kennedy brought around. I do protest the application for rezoning and am definitely against the planning commission approving same. I understand the subdivision issue is within the City's jurisdiction but that the enforcement of covenants is a private action that the homeowners affected would have to bring. I will catch up with you when I get back in town. Thanks. Bob

Cantu, Brenda

From: Richard Dayoub <Richard.Dayoub@outlook.com>
Sent: Wednesday, January 9, 2019 11:24 AM
To: Cantu, Brenda
Cc: JOHN S. BIRKELBACH
Subject: Baginski Subdivision

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning Ms Cantu,

I am writing to you this morning in reference to Item 6 on the City Plan Commission Agenda for Thursday, January 10, 2019. We live in the nearby neighborhood of Coronado Country Club Estates, a registered neighborhood association. We did not receive the notification of the property owner's intent as we live outside the 300 feet requirement for notifications. We are adamantly opposed to the request to permit the subject properties currently zoned R-3 to be modified to allow for the modification from the current requirements of 100 feet for lot frontage to the requested 60 feet in order to build four separate properties. This proposed modification will impact all of the existing homes on Thunderbird and the neighboring streets that are and have been for many years, in compliance with this requirement. Additionally, the lots in question are very narrow requiring elevated construction utilizing the slope of the arroyo on which the bulk of the property sits. Please consider the negative impact to surrounding property values in your determination.

Thank you for your consideration.

Respectfully,

Richard Dayoub
1212 Cerrito Alegre Lane, 79912

Cantu, Brenda

From: Tiffany Somers <tiffanymariasomers@gmail.com>
Sent: Wednesday, January 9, 2019 11:50 AM
To: Cantu, Brenda; jaclynfike@gmail.com; Leslie Beckoff; Jerry Odom; birk@mgmsg.com
Subject: Re: Petition to stop subdivision on Thunderbird

Yes. I am strongly opposed. Thank you for clarifying. In talking to my neighbors in our neighborhood association and who live in CCC Estates, what information should I tell them that they need to email you to officially voice their opposition?

Thank you,
Tiffany

On Wed, Jan 9, 2019 at 11:38 AM Cantu, Brenda <CantuBR@elpasotexas.gov> wrote:

Ms. Somers,

Just to confirm, your opposition is for Baginski Subdivision which is case SUSU18-00099 (staff report attached) correct?

From: Tiffany Somers <tiffanymariasomers@gmail.com>
Sent: Wednesday, January 9, 2019 11:33 AM
To: Cantu, Brenda <CantuBR@elpasotexas.gov>
Subject: Petition to stop subdivision on Thunderbird

Cantu, Brenda

From: Doctor <doctor@painandspinecenter.net>
Sent: Wednesday, January 9, 2019 12:46 PM
To: District #1; Cantu, Brenda
Subject: Baginski Subdivision

Dear Ms Cantu and Representative Svarzbein,

I am resident of the Coronado Country Club neighborhood. I write to formally oppose subdividing Lot A, block 5 at Coronado country club estates to be subdivided into three lots. This makes no sense in a neighborhood designed to have bigger lots and less housing. There is already a traffic problem on Thunderbird. Such a change would lead to a dangerous precedent in having people sell off lots and have more subdivisions in the future. The nature of the neighborhood and the way it was planned does not call for wall to wall houses town homes etc. Unfortunately my schedule won't allow me to attend the meeting but hopefully this note will be representative of my opposition to this project. This is appalling.

Sincerely,

Jose Luis Villarreal MD

Cantu, Brenda

From: Jerry Odom <jlodom@sbcglobal.net>
Sent: Wednesday, January 9, 2019 1:31 PM
To: Cantu, Brenda
Subject: Re: Petition to stop subdivision on Thunderbird

Jerry and Marcia Odom
1033 Broadmoor
El Paso, Texas 79912

Ref: Planning Commission Case # SUSU-18, Baginsky Subdivision, Item #6 on Planning Commission Agenda for 1/10/19

Ms. Cantu:

We have a large home on a large lot in the Coronado Country Club Estates. One of the reasons we purchased this lot was the consistency of larger homes and larger lots.

The proposed Baginsky Subdivision should be denied for the following reasons:

1. It violates the covenants of our subdivision. We understand the city cannot enforce covenants but Mr. Baginsky's efforts show he has no concern for the existing rules and regulations and no concern for the value of neighboring properties.
2. Traffic on Thunderbird is **very fast and very dangerous**, especially in this area. Adjacent to Mr. Baginsky's property on Thunderbird is a flashing light installed to slow traffic. If four homes are to be developed, this is four driveways that will be pulling out on to a dangerous, downhill curve. These driveways will be close together. **We can foresee a tragedy because of this.** We understand the city is undergoing a traffic study on Thunderbird to determine steps that can slow speed and minimize accidents. It seems illogical that the city would grant a request for more lots when this study has not been finished.
3. Mountain Scarring: There is simply no way Mr. Baginsky or a future owner can develop a house on Lot 4 without severe damage to the arroyo and major infill of dirt. It was my understanding the city is interested in contoured development and not "cut and fill" construction. Mr. Baginsky's plan severely damages the natural terrain.
4. Notices: Even though our home is not in the 200 foot area to receive notice of this agenda item, we do know that several neighbors including Bob Warwick did not receive notice and are extremely concerned.
5. Timing: This item was placed on the agenda right before Christmas and city hall was closed during the holidays. If Pat Wieland had not noticed the item, it would have been uncontested by all the neighbors who were not home and knew nothing of the plan.

At the very least, the planning commission should postpone the item to allow neighbors and the Coronado Country Club owners to review the plans with traffic and civil engineers and give a detailed

report to the city. Instead, we would encourage planning commission to deny the request of Mr. Baginsky.

Thank you for your coordination of this item. My wife and I and many others will be at the meeting tomorrow.

*Jerry Odom
President
Odom Investments, Inc.*

*7100 Westwind Drive
Suite 230
El Paso, Texas 79912*

*Office: 915-584-8320
Mobile: 915-204-8880
Fax: 915-584-9754*

EMail: jlodom@sbcglobal.net

Cantu, Brenda

From: Jason Vourazeris <casavourazeris2@gmail.com>
Sent: Wednesday, January 9, 2019 1:36 PM
To: Cantu, Brenda
Subject: SUSU18-00099 Baginski Subdivision

To Whom It May Concern:

My name is Jason Vourazeris, MD and I reside at 1033 Singing Hills Dr. El Paso, TX 79912. This letter is in regards to case SUSU18-00099 Baginski Subdivision, ITEM 6. I would like it to be known that myself and my family are strongly opposed to the proposed request to resubdivide the house at 921 Thunderbird and the adjoining vacant lot at 1083 Thunderbird into 4 lots, two of which are 60-foot lots. First, this request appears to be in direct violation of the covenants for CCC estates. Second, we feel that allowing this precedent to be set would allow for future changes to be made which would completely change the character and integrity of CCC estates. Although we have had short notice as to these proceedings, the neighborhood is mobilizing in its attempt to block these efforts. Thank you for your consideration.

Amber & Jason Vourazeris, MD

Cantu, Brenda

From: Peggy Powers <pegapow@yahoo.com>
Sent: Wednesday, January 9, 2019 2:39 PM
To: Cantu, Brenda
Subject: Re: [Tiny Scanner] Doc Jan 09, 2019, 10:21

Follow Up Flag: Follow up
Flag Status: Flagged

Yes correct! Thank you

Sent from Yahoo Mail for iPhone

On Wednesday, January 9, 2019, 11:10 AM, Cantu, Brenda <CantuBR@elpasotexas.gov> wrote:

Ms. Powers,

Just to confirm, you're opposition is for Baginski Subdivision which is case SUSU18-00099 (staff report attached) correct?

From: Peggy Powers <pegapow@yahoo.com>
Sent: Wednesday, January 9, 2019 9:24 AM
To: Cantu, Brenda <CantuBR@elpasotexas.gov>
Subject: Fw: [Tiny Scanner] Doc Jan 09, 2019, 10:21

Sent from Yahoo Mail for iPhone

Begin forwarded message:

On Wednesday, January 9, 2019, 10:21 AM, Sarah Beth Shapleigh <s.bethpowers@me.com> wrote:

Thanks,

PEGGY Powers

Cantu, Brenda

From: Laura Alpern <visionfarms50@icloud.com>
Sent: Wednesday, January 9, 2019 4:02 PM
To: Cantu, Brenda
Subject: Susu1800099

Follow Up Flag: Follow up
Flag Status: Completed

My name is Laura Alpern and I live at 1029 Broadmoor Dr. 79912 I am writing in reference to Baginski subdivision item 6. As a resident of this neighborhood for 40 years subdividing lots will diminish the value of our homes right when they finally appear to be appreciating. Our neighborhood is experiencing many younger families and a new feeling of community. Please consider this item is brought before you.

Sincerely
Laura Alpern

Sent from my iPhone

Cantu, Brenda

From: Mike Ainsa <main@acaciapark.com>
Sent: Wednesday, January 9, 2019 4:04 PM
To: Cantu, Brenda
Cc: amberannev@gmail.com; Hal Ettinger; Debbi Hester; jaclynfike@gmail.com; richard.dayoub@outlook.com; visionfarms@hotmail.com; Robert Moreno; gm coronadocountryclub.com; Leslie Beckoff; Cyndi Henry; Jerry Odom; Thomas H Kennedy
Subject: SUSU18-00099 Baginski subdivision

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Cantu: My name is Mike Ainsa. I live at 1020 Broadmoor Drive which is within the Coronado Country Club Estates. I strongly oppose approval of the proposed plat for the so called "Baginski Subdivision" (Case No. SUSU18-00099) at tomorrow's meeting and request that the City Council disapprove this request at that time, or in the alternative, postpone any action on this item for 14 days to allow for an adequate opportunity for residents in the Coronado Country Club Estates to review this matter and provide their comments.

It appears that the Notice to residents within 200 feet of the proposed subdivision was sent on December 21st. As you know this is right before the holiday period. Many residents were likely out of town and other interested parties were completely unaware of this request. In the interest of simple fairness and due process the residents of the adjacent streets should be given a chance to consider this matter. No harm will result to the applicant by a postponement.

I understand that this proposed subdivision would violate certain provisions of the existing restrictive covenants of the Coronado Country Club Estates. The applicant should meet with all concerned residents and show that the proposed subdivision complies or, if not, revise it so that it will comply with the covenants. The City should allow this process to occur.

Please provide this letter in opposition to Council and respective city staff.

Thanks you. Mike Ainsa

Mike Ainsa
1020 Broadmoor Drive
El Paso, Texas 79912
Direct: 915.845.1045 | Cell: 915.319.0011 | Fax: 915.845.7800
main@acaciapark.com

Cantu, Brenda

From: Tim Gray <tjgray0130@yahoo.com>
Sent: Wednesday, January 9, 2019 4:47 PM
To: Cantu, Brenda
Subject: Case SUSU18-00099, Baginski Subdivision Item 6

Follow Up Flag: Follow up
Flag Status: Flagged

I strongly oppose this case which our covenants don't allow. Timothy and Julie Gray, 6011 Pinehurst Dr, 79912. Cell 915-449-1052 Thank You

Cantu, Brenda

From: Sharon Thompson <sthompsonarc@gmail.com>
Sent: Wednesday, January 9, 2019 5:04 PM
To: Cantu, Brenda
Cc: br.davis@ttuhsc.edu
Subject: SUSU18-00099 Baginski Subdivision, Item 6

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Cantu:

The purpose of this email is to express our vehement opposition to the Baginski Subdivision, Item 6, reference case # SUSU18-00099. This proposal is entirely unacceptable as it is in blatant violation of our current community covenants. This proposed subdivision is also inconsistent with the integrity, character and home values of the CCC Estates.

Again, I cannot express strongly enough our disapproval of this proposed subdivision. Should you have any questions or concerns we may be reached at (915)479-4713. Thank you very much for your time and consideration.

Sincerely,

Sharon T. Davis, MPH, PhD, and
Brian Davis, MD, FACS, FASGE
909 Singing Hills Drive
El Paso, Texas 79912

Cantu, Brenda

From: George Habicht <g3vette@gmail.com>
Sent: Wednesday, January 9, 2019 5:05 PM
To: Cantu, Brenda
Subject: CCC Estates Covenants-SUSU18-00099 Baginski Subdivision, Item 6.

Follow Up Flag: Follow up
Flag Status: Flagged

Ms. Brenda Cantu,

I am a resident of CCC Estates, at 1028 Singing Hills Drive, El Paso, TX 79912 and I will be unable to attend a meeting regarding case SUSU18-00099 Baginski Subdivision, Item 6.

I would therefore like to register my strong opposition to changing the covenants of CCC Estates in order to allow a resubdivision at 921 Thunderbird and adjoining vacant lot at 1083 Thunderbird to smaller lots.

Thank you,

George & Anna Habicht
1028 Singing Hills Dr
El Paso, TX 79912
(915) 920-9950

Cantu, Brenda

From: Michael Miles <michaelmiles1952@gmail.com>
Sent: Wednesday, January 9, 2019 6:54 PM
To: Cantu, Brenda
Subject: SYSY18-00099 Baginski Subdivision

MS Brenda Cantu:

My name is Michael Miles and me and my wife Clara live at 828 Singing Hills Dr across the arroyo from 921 Thunderbird where Mr. Baginski is requesting a variance of the covenants and zoning in order to subdivide a vacant lot at 1083 Thunderbird into four lots some with only a 60 ft frontage on Thunderbird. Since this is in violation of the CCC Estates covenants and would have a negative impact on our property values I am requesting that you deny his request to allow such subdivision to take place. I would be at the meeting on the 10th of this month but I have an important meeting that I can not reschedule and you to please place my objection into the record.
Thanking you in advance for your consideration of this request I remain

Sincerely
Michael M. Miles

Cantu, Brenda

From: nanci solis <nancisolisrn@yahoo.com>
Sent: Wednesday, January 9, 2019 7:09 PM
To: Cantu, Brenda
Subject: Reference Case SUSU18-00099 Baginski Subdivision

Follow Up Flag: Follow up
Flag Status: Flagged

To Whom It May Concern;

We are residents of 10 years on Singing Hills Drive of CCC Estates and we absolutely oppose the subdivision of 921 Thunderbird and the adjoining vacant lot @1083 Thunderbird. My husband and I work tirelessly to prosper the beauty of our home and it's affluent neighborhood at a costly property tax bracket and under no circumstance should others be allowed to devalue our neighborhood for a profit making scheme.

Nor my husband or I can attend tomorrows Council meeting due to our demanding work schedules however we ask for your action to block this heinous change.

Very Respectfully,

Nanci Solis

Cantu, Brenda

From: karen@luse.net
Sent: Wednesday, January 9, 2019 7:39 PM
To: Cantu, Brenda
Subject: Baginski subdivision

Follow Up Flag: Flag for follow up
Flag Status: Flagged

My name is Karen Luse. I live at 1013 Singing Hills Dr. in Coronado Country Club Estates.

This letter is in reference to **case SUSU18-00099, Baginski subdivision, Item 6.**

This proposed re-subdividing of Mr. Baginski's lot at 921 Thunderbird Dr. is clearly against the covenants of Coronado Country Club Estates.

I **STRONGLY OPPOSE** the city council voting to approve any change that breaks these covenant agreements that all property owners in Coronado Country Club Estates have agreed to. That should legally be something that only property owners are able to change by a majority vote.

Sincerely,

Karen Luse

Cantu, Brenda

From: Mmaloolydr <mmaloolydr@aol.com>
Sent: Wednesday, January 9, 2019 8:31 PM
To: Cantu, Brenda
Subject: Case SUSU18-00099

Follow Up Flag: Flag for follow up
Flag Status: Flagged

City of El Paso Automated System Message | EMAIL SENDER UNVERIFIED:

The email from Mmaloolydr , sent by mmaloolydr@aol.com, cannot be verified as authentic. Please take caution, do not click on any links or open any attachments unless you trust the sender and know the content is safe.

Dear Brenda

We, Ken Drahan and Marilyn Malooly Drahan, are opposed to the revisions stated in reference to case SUSU18-00099 Baginski Subdivision, Item 6. The revisions would be a blot on the landscape and not sympathetic to the views from our home at 924 Singing Hills. It is also too much of a development for such a small area and not in accordance with the neighborhood.

We hope you take this into consideration.

Regards,

Marilyn Malooly Drahan

January 9, 2019

El Paso City Planning Commission
Attn: Brenda Cantu
300 N. Campbell
El Paso, TX 79901

CASE: SUSU18-00099 Baginski Subdivision, Item 6

RESPONSE: OPPOSED

Dear Mrs./Ms. Cantu,

I am writing, in regards to, the replatting proposal for the 921 Thunderbird, and 1083 Thunderbird lots located in the CCC Estates. If this is allowed it would have a negative impact in our neighborhood. It is my belief that the open areas, and large lots add to the ambience in the area. This is the reason why I chose to move to the Coronado area.

I firmly believe that any consideration of increasing the volume of lots, and minimizing the open spaces is not good for the persons living in the neighborhood, nor for the long-term benefit of the area and of the city.

I thank you for your time regarding this matter.

Best regards,

Duane E. Murphy
916 Singing Hills
El Paso, TX 79912

Cantu, Brenda

From: Robert Beckoff <robert@rbeckoff.com>
Sent: Wednesday, January 9, 2019 8:48 PM
To: Cantu, Brenda
Cc: birk@mgmsg.com
Subject: Case SUSU18-00099

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Re: Case SUSU18-00099
Baginski Subdivision
Agenda Item 6

Dear Ms. Cantu:

My name is Robert Beckoff. My wife and family have lived at 1117 Thunderbird Drive for 30 years and I have been informed of Mr. Baginski's intention to subdivide his Thunderbird property.

For any number of reasons, most importantly detriment to property values in the neighborhood, I strongly oppose any plans to subdivide this property.

It is also my understanding that this proposed subdivision would violate certain provisions of the existing restrictive covenants of the Coronado Country Club Estates.

I respectfully request that this subdivision be disallowed.

Thank you.

Robert Beckoff
Leslie Beckoff

Cantu, Brenda

From: TJA (Thomas Andolina) <tja@novonordisk.com>
Sent: Wednesday, January 9, 2019 9:10 PM
To: Cantu, Brenda
Cc: TJA (Thomas Andolina); thomashkennedy@gmail.com
Subject: Opposed to SUSU18-00099 Baginski Subdivision, Item 6

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Re: SUSU18-00099 Baginski Subdivision, Item 6

Dear Brenda Cantu,

As a resident of CCC Estates, I am writing you to state my strong opposition to the changes outlined in the above Baginski subdivision case. I feel it is a clear violation of the current Covenants that are in place to protect the integrity of the CCC Estates development and the value of my home. I am requesting that my voice be heard and that this proposal be rejected.

If additional information is needed on my part, please do not hesitate to reach out.

Thank you,

Thomas Andolina
1009 Singing Hill Dr.
El Paso, Texas 79912
(915) 309-6047

Sent from my iPhone

Cantu, Brenda

From: Lucile Uhlig <auhlig@elp.rr.com>
Sent: Thursday, January 10, 2019 6:39 AM
To: Cantu, Brenda
Cc: District #1
Subject: OPPOSED to subdivision listed below

As residents of Coronado Country Club, we are opposed to the subdivision of the below referenced property

SUSU18-00099: Baginski Subdivision – A portion of Lot A, Block 5, Coronado Country Club Estates and Lot 5-A, save and except the South 12 feet, Block 5, Coronado Country Club Estates Replat, an addition to the City of El Paso, El Paso County Texas
Location: East of Shadow Mountain and North of Thunderbird
Existing Zoning: R-3 (Residential)
Property Owner: Adam Baginski
Representative: Millot Engineering
District: 1

Lucile & Bill Uhlig
6000 Torrey Pines Drive
El Paso TX 79912
915-637-3322

Cantu, Brenda

From: mark cossentino <mcossentino@hotmail.com>
Sent: Thursday, January 10, 2019 8:17 AM
To: Cantu, Brenda
Subject: Case SUSU18-00099

Priscilla and Mark Cossentino
6016 Torrey Pines Dr
El Paso TX, 79912

Regarding case # SUSU18-00099 Baginski Subdivision, Item 6. We strongly oppose.

Thank you!
Priscilla Cossentino

Cantu, Brenda

From: Greg Pfirman <greg@pfirman.net>
Sent: Thursday, January 10, 2019 8:28 AM
To: Cantu, Brenda
Subject: Case SUSU18-00099 Baginski Subdivison

Dear Brenda Cantu

My name is Greg Pfirman and I live at 1122 Thunderbird Dr. I am writing this email/letter to you to request that you do not allow 60 foot lots in our neighborhood. This is against our current covenants and I feel it will change the character, integrity and the home values of my neighborhood. I have lived in CCC Estates for over 20 years Thank you for your consideration.

Greg Pfirman
915-328-9062

Cantu, Brenda

From: Jaclyn Fike <jaclynfike@gmail.com>
Sent: Thursday, January 10, 2019 8:29 AM
To: Cantu, Brenda
Subject: Baginski Subdivision petition

Ms. Cantu,

Jaclyn Fike-Taveras 6004 Balcones Court

Case SUSU18-00099 Baginski Subdivision, Item 6

I am strongly opposed to this case. This neighborhood's covenants does not allow for the subdividing of lots in our estates. There are several other options (6006 Balcones, Los Jardines, Los Cerritos, etc) that allow options for zero lot lines and smaller homes in our area. The estates in which we live in are unique to El Paso and offer large lots with houses spaced out as opposed to the majority of neighborhoods in the west side of El Paso. Please keep our neighborhood unique and preserved!

Jaclyn Fike-Taveras RN, BSN

Cantu, Brenda

From: Chanel Assi <chanelassi5@gmail.com>
Sent: Thursday, January 10, 2019 8:50 AM
To: Cantu, Brenda
Subject: Case SUSU18-00099 Baginski Subdivision, Item 6

Hello Ms. Cantu,

In regards to Case SUSU18-00099 Baginski Subdivision, Item 6. I strongly oppose the allowance for lots to be subdivided.

Chanel Assi
1001 Broadmoor Dr.
El Paso, TX 79912

Should you need to speak with me. please do not hesitate to contact me here or by phone at 433.3804.

Sincerely,

Chanel M. Assi, DO

Cantu, Brenda

From: pat wieland <pbwieland@yahoo.com>
Sent: Thursday, January 10, 2019 8:58 AM
To: Cantu, Brenda
Cc: JOHN S. BIRKELBACH
Subject: Plan Commission Case # SUSU-18, January 10, 2019

Pat and Eloise Wieland
1000 Singing Hills Dr.
El Paso, Texas 79912
915-525-5500

Re: Plan Commission Case # SUSU-18,
Baginsky Subdivision, Item #6, Plan
Commission Agenda 1/10/2019

Ms. Cantu,

Our home on Singing Hills Dr. sits directly across the arroyo from Mr. Baginski's proposed resubdivision of two lots into four lots, two of which are 60 feet, much less than the minimum 100 feet provided in the Protective Covenants of Coronado Country Club Estates. We are adamantly opposed to this blatant effort to violate our Covenants, and change the character of the entire CCC Estates. We were one of only eleven (11) lots who were supposed to receive Notice of the January 10 hearing. Oddly, two of the eleven, our next door neighbors, the Millers, and the Warachs at 917 Thunderbird, immediately adjoining the proposed resubdivision, did not receive the Notices. Additionally, the Notice was mailed Friday, December 21, 2018, received by us on Saturday, December 22, 2018, three days before Christmas. The City was closed Christmas week, only to reopen Wednesday, January 2, 2019, leaving very little time for the notified neighbors and the entire CCC Estates to properly respond. We and most of the neighbors I immediately contacted were out of town for the entire week as well. I find this all very strange.

My wife and I chose to live in CCC Estates because of the character and integrity of the neighborhood the developers envisioned when the Protective Covenants were created, most importantly the large lots which ultimately defined our fine community.

We request a denial of this application, and at the very least a postponement to give the community a more reasonable time to respond.

We will attend the hearing today and expect many more in attendance, although with more time, I am certain we would fill the chamber.

Thank you,
Patrick Wieland
Eloise Wieland

Cantu, Brenda

From: Amber Vourazeris <amapelatudor@yahoo.com>
Sent: Thursday, January 10, 2019 9:00 AM
To: Cantu, Brenda
Subject: Case SUSU18-00099 Baginski Subdivision

Amber Vourazeris
1033 Singing Hills Dr
SUSU18-00099 Baginski Subdivision
Item 6

Good morning. I strongly oppose the plans to take one already small lot and subdivide it into even smaller lots. CCC Estates is one of the nicer neighborhoods in El Paso and this plan to allow a subdivision right in the middle of the neighborhood is not in the best interest of the neighborhood or residents who have worked so hard and have paid so much to live here. This subdivision will not only be aesthetically unpleasant but also increase traffic in an already busy traffic area. I also worry about it bringing down the property value. I feel like this plan allows a few people a chance to make a large profit but it is not beneficial in anyway to the residence in this area or the neighborhood. I do not feel that we were given adequate time or notice to properly prepare and fight this subdivision plan. Please oppose this issue or at least table it so that we can have a chance to organize and unit to better fight this subdivision plan! Thank you!

Amber Vourazeris
1033 Singing Hills Dr

Cantu, Brenda

From: Ed Assi <dred@centeroftheheart.net>
Sent: Thursday, January 10, 2019 9:01 AM
To: Cantu, Brenda
Subject: Fwd: Case SUSU18-00099 Baginski Subdivision, Item 6

Good Morning Ms. Cantu,

In regards to Case SUSU18-00099 Baginski Subdivision, Item 6, I strongly oppose the allowance for lots to be subdivided.

Edward Assi
1001 Broadmoor Dr.
El Paso, TX 79912

Should you need to speak with me, please do not hesitate to contact me.

Sincerely,

Edward R. Assi, DO

--

Edward R. Assi DO FACC FSCAI
Center of the Heart

1700 Cliff Dr Suite 200
El Paso, Texas 79902
Work 915-577-9009
Fax 915-577-9006

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Cantu, Brenda

From: David Turbay <dvdrturbay@yahoo.com>
Sent: Thursday, January 10, 2019 9:07 AM
To: Cantu, Brenda
Subject: Opposed item 6

My name is David Turbay. I live at 1037 Broadmoor. I am strongly opposed to the Baginski subdivision, item 6, SUSU18-00099.

1. It is a blatant violation of our covenants
2. We have no sidewalks. The city has done traffic tests here that show dangerous speeds. Pedestrians and bicyclists have been hit by cars. I can't image more driveways w more drivers backing out onto Thunderbird that has turned into the city an application with 2/3 of residents saying that traffic is a problem on that street (Which has no sidewalks) and will have a playground and trailhead increasing pedestrian traffic. Talk to Commander Lopez and Justin Bass in streets if you want know more about what our neighborhood has even working to do to make our streets safe and walkable.

Sincerely,
David Turbay
Sent from Yahoo Mail for iPad

Cantu, Brenda

From: Marchelle Ludeman <meludeman@swbell.net>
Sent: Thursday, January 10, 2019 9:59 AM
To: Cantu, Brenda
Subject: Baginski subdivision petition

Follow Up Flag: Follow up
Flag Status: Flagged

Marchelle Carbonell
1021 Broadmoor dr El Paso Tx 79912
Case # - SUSU18-00099 Baginski subdivision petition.
We oppose this. Thank you

Sent from my iPhone

Cantu, Brenda

From: Warren Pulner <wpulner@aol.com>
Sent: Thursday, January 10, 2019 11:13 AM
To: Cantu, Brenda
Subject: Planning Commission Case#SUSU-18 Baginsky Subdivision,Item #6 on Planning Commission Agenda for 1/10/19

City of El Paso Automated System Message | EMAIL SENDER UNVERIFIED:

The email from Warren Pulner , sent by wpulner@aol.com, cannot be verified as authentic. Please take caution, do not click on any links or open any attachments unless you trust the sender and know the content is safe.

Good morning Ms. Cantu:

My name is Warren Pulner and I live at 909 Thunderbird, three houses from the proposed subdivision.

I have lived at this address since 1973 and there has been a death, two houses hit (my house being one of them) in my immediate area. **We do not need additional houses to increase traffic.**

The increase of four(4) driveways is going to increase accidents as traffic is at excessive speeds at this specific area. I look to my left on leaving my drive way, and no sooner am I going down hill, is there a car on tail. These proposed 4 driveways will inevitably increase accidents.

We purchased our home as we had a child with sever asthma (find a home far west and as high as possible to have clean air) . We appreciated the large lots and country setting. I would never had anticipated that a neighbor would attempt to subdivide his/her property to 60 foot frontage lots. This not acceptable.

The increase in traffic is not 4 cars, but 8.(2 CAR FAMILIES)

I want to mention the restrictive covenants that would be violated . I understand this is not in your jurisdiction.... please, just keep in mind the covenants.

Please deny this subdivision request.

Thank you,

Warren Pulner

Cantu, Brenda

From: str8yrdds@zianet.com
Sent: Thursday, January 10, 2019 11:15 AM
To: Cantu, Brenda
Subject: Opposition to subdivision of lots

Gary & Kathy Mundy
900 Singing Hills Drive
El Paso, TX 79912

Re: SUSU18-00099 Baginski Subdivision, Item 6

Dear Ms. Cantu,

This is to inform you that Kathy and I oppose granting Mr. Baginski permission, in violation of our current covenants, to subdivide lots on Thunderbird Drive. This will change the character of our beautiful neighborhood and impact property values. Mr. Baginski's desire to subdivide the two lots at 921 and 1083 Thunderbird Drive is in direct opposition to the values and desires of his neighbors and will not be of benefit to our community.

Respectfully,
Gary D. Mundy, DDS, MS

Cantu, Brenda

From: Cyndi Maestas-Henry <cmaestas-henry@lb-cpa.com>
Sent: Thursday, January 10, 2019 11:15 AM
To: Cantu, Brenda
Subject: SUSU18-00099 Baginski subdivision

Dear Ms. Cantu,
My name is Cyndi Henry. I live at 875 Broadmoor Drive which is within the Coronado Country Club Estates.
I strongly oppose approval of the proposed plat for the Baginski Subdivision (case No. SUSU18-00099) that is on the agenda for today's meeting.

It is my understanding that the proposed subdivision would violate certain provisions of the existing restrictive covenants of the Coronado Country Club Estates. Before a decision is made, I would like to request additional time on this matter so that the applicant can meet with all concerned residents and show that the proposed subdivision complies with the covenants.

Respectfully,
Cyndi Henry
(915) 588-4859

Cyndi Maestas Henry, CPA

Shareholder

cmaestas-henry@lb-cpa.com | Main: (915) 544-6950 | Direct: (915) 747-3314

Main Fax: (915) 544-1303 | Direct Fax: (915) 747-3315

4130 Rio Bravo Street, El Paso, Texas 79902



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Thomas H. Kennedy

1008 Singing Hills Dr.
El Paso, Texas 79912
915-276-3113
thomashkennedy@gmail.com

January 7, 2019

City of El Paso Planning & Inspections Department
c/o Brenda R. Cantu
PO Box 1890
El Paso Texas 79950-1890

Reference: Planning & Inspection Dept. Letter dated Dec. 21, 2018 – Adam Baginski
Resubdivision Application

Dear Ms. Cantu:

I am filing a legal protest to oppose the resubdivision request by Adam Baginski regarding two lots including a house at 921 Thunderbird Drive and a vacant lot at 1083 Thunderbird into four lots in Coronado Country Club Estates, as described in your letter, referenced above.

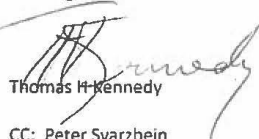
As a homeowner within 200 feet of the area, I am strongly opposed to the resubdivision of the lots. In fact, opposition to the resubdivision is very strong both within the 200-foot adjacent area and throughout our neighborhood. We view the resubdivision application as an attempt to violate our Covenants. Mr. Baginski requests 60-foot frontages. The Protective Covenants of Coronado Country Club Estates clearly prevent the resubdivision: **No lot or lots shall be re-subdivided so that a lot is created with less than 100-foot frontage or less than 10,000 square feet of area.** The restrictive covenants are also conveyed in the General Warranty Deed recorded at El Paso County.

The Notice from the City Planning & Inspection Department was mailed December 21, 2018 and received by homeowners on Saturday, December 22. City offices were closed the entire Holiday week, and reopened January 2, 2019, leaving only 8 days for concerned citizens to mobilize and prepare for the Planning Commission meeting on June 10, 2018 at 1:30 pm.

We request that the Planning Commission dismiss the Baginski application, which is in total disregard of our Covenants. We also request a postponement of the Planning Commission meeting agenda item to allow time for CCC Estates homeowners to adequately respond in opposition to the application, since this request affects all homeowners. We also request postponement to give our attorney and engineer time to review the proposed application and plats.

Attached are the required signatures from 20% (or more) of the adjacent residents, according to your December 31st email to me. I have also included separately the signatures of other concerned Coronado Country Club Estates residents.

Best regards


Thomas H. Kennedy

CC: Peter Svarzbein

Attachments:

- EXHIBIT A: Signature Page of residents within 200-feet of proposed resubdivision
- EXHIBIT B: Signature Page of other Coronado Country Club Estates residents

EXHIBIT A

Signatures from the owners of lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision.

913 Thunderbird - Philip Becker

917 Thunderbird - Robert or Jane Warach

920 Thunderbird - Laura Valls

924 Thunderbird - Robert or Ana Houle

924 Singing Hills - Marilyn Drahan

928 Singing Hills

932 Singing Hills - John or Nanette Miller

1000 Singing Hills - Patrick Wieland

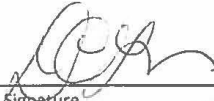
1004 Singing Hills - Mary Francis Allen or Roberto Pedraza


1008 Singing Hills - Thomas or Jeannine Kennedy

1012 Singing Hills - Raymond or Nancy Marshall

EXHIBIT B

Signatures from concerned property owners of Coronado Country Club Estates:

1013 SINGING HILLS	DEVIN LUSE	
Address	Name	Signature

1009 Singing Hills Dr	Thomas Anderson	
Address	Name	Signature

Address	Name	Signature
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Address	Name	Signature
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